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C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 006844

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SUBJECT: UNHCR PROPOSES OPTION FOR PETCHABOON HMONG

Classified By: POLITICAL COUNSELOR SUSAN M. SUTTON reason 1.4 (b) (d)

¶1. (U) This is an action message. Please see para 6.

¶2. (C) Summary: UNHCR apprised Ambassador Haslach of the situation of the almost 6000 Hmong would-be refugees encamped in Petchaboon province. Following a discussion of the difficulties of making a refugee determination, UNHCR proposed contracting with an independent person or team that could make a low-profile visit to Petchaboon to gather necessary information about the group that would assist in a final refugee determination. Ambassador Haslach noted that we could make no commitment at this time to accepting any of the Hmong in this group, but we would consider the UNHCR proposal. See action request, paragraph 6. end summary.

¶3. (C) Ambassador Patricia Haslach met 10/28 with UNHCR deputy regional representative Bhairaja Panday to discuss the situation of the almost 6000 ethnic Hmong gathered in Petchaboon province and seeking resettlement as refugees. Panday said that Thai officials are uncertain what to do about the group. Originally, they had thought it would be possible to return the group to Laos relatively quickly. They have since realized that it is too difficult to deport the group involuntarily, especially in the face of the Lao refusal to take them back. The Thai also realize that they should permit UNHCR to interview those with a real claim to refugee status. However, they are deeply concerned about the "draw factor" if UNHCR interviews begin. The Thai had a plan to try to identify and separate out a smaller group that might have a genuine refugee claim, then permit UNHCR to conduct low-profile interviews of that group. So far, this plan is not working. The RTG officials are "getting nowhere" with their interviews of the group's members since the Hmong "don't want to talk" to RTG officials. Panday described the RTG now as confused about what to do next and said that they are looking for a solution.

¶4. (C) UNHCR had hoped to be able to draw on various outside sources of information to help identify a smaller group of possible refugees. The RTG has determined that, of the approximately 6000 Hmong in the encampment in August, about 200-300 have left already. About 1200 of those remaining are believed to be former residents of Wat Tham Krabok, who had left the Wat before the beginning of the US resettlement program. These are presumably trying for a second chance at US resettlement, but are long-established in Thailand and will probably also drift away from the encampment if it becomes clear that there is no new resettlement program. That still leaves over 4000 Hmong to screen, and the available information, from the US Embassy in Vientiane and various NGOs that have contacted UNHCR, is insufficient to whittle that number down further.

¶5. (C) Panday proposed that UNHCR contract an independent person or team that can go to Petchaboon and seek further information about the Hmong there. The group would not be identified as UNHCR staff members, and therefore would not have the same magnet effect drawing other Hmong to the encampment. They would not conduct full fledged refugee determination interviews, but would try to identify where various groups came from and gather information that might help to assess the validity of their claims. This could be the basis on which at least an initial determination could be made about the status of the Hmong would-be refugees. Once UNHCR had made a final determination about the status of some smaller group, they would then make referrals as usual. Ambassador Haslach advised UNHCR that we could not make any guarantee in advance about accepting any of this group. However, the US normally gave due consideration to any referrals from UNHCR.

¶6. (C) This idea needs some work, but it is the best that UNHCR has come up with so far, and we believe that we should support it. It will be difficult to find an appropriate independent person or team who can do this, but we believe it is worth a try. Panday is confident that the Thai will raise no objection to this approach. Action request: Request Department authorize us to meet with UNHCR and put together a more concrete proposal along the lines described above. Although UNHCR understands that we cannot make any commitment at this point about accepting any of this group, Panday points out that the US is the most interested and knowledgeable about the Hmong, and we could play a useful role. We would suggest that Embassy Vientiane polooff and Bangkok refcoord work together with UNHCR to firm up a plan.

End action request.

17. (C) Ambassador Haslach emphasized that there would be no "new US resettlement program" for this group. Ambassador and Panday agreed that the solution to the predicament posed by the Hmong group would probably include the following elements:

-- The RTG would not forcibly deport the group. Now that the group was no longer growing, the RTG was probably content to let the situation work itself out relatively slowly, in the hopes that many of those in the encampment without a good claim would leave in search of better conditions once it was clear that there would be no big resettlement plan. It will be important to use all available means to get the message to them that the US will not resettle them all, a la Wat Tham Krabok. We will make sure that our press release stating that there will be no new resettlement program is distributed in Hmong and Lao language, and we will encourage all responsible Hmong NGO contacts to make the same points with their relatives and spread the word.

-- UNHCR would eventually identify a smaller group with a genuine refugee claim. This might include Hmong who were associated with the various journalists who had been covering the story of the Hmong, or family members from some of the anti-government groups identified by the Lao government. This would not include those who had been involved in violent attacks on civilian or government targets. There might need to be close examination of some of the people who had "come out of the forest" to distinguish between those who had been on the run due to fear of the GoL, and those who had actively participated in armed attacks. Not all of those who had come out of the forest would qualify as refugees, since information from Laos indicated that many of the family members who recently gave themselves up to the government had been resettled inside Laos without adverse consequences.

-- UNHCR would make referrals, as it normally did. We would hope that various countries which receive refugees would accept some of these referrals. The US might also accept some of them -- we could not make a commitment at this point.

18. (C) Comment: This will be a very difficult problem to solve. We believe that some of the Hmong in Petchaboon -- perhaps a few hundred -- may be able to make a compelling refugee claim. Separating that small group out from the others without sparking a new wave of refugee wanna-bes from across the border will be a challenge, but the UNHCR proposal is a good first step. end comment,  
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